

REMARKS

In paragraph 2 of the Office Action mailed on February 6, 2006, the Examiner has objected the disclosure due to its informalities. The Applicants now amended Paragraphs 1 and 36 accordingly, by inserting the patent number into the first sentence of the specification in Paragraph 1 and changing the reference number 786 to 76 in Paragraph 36.

In paragraph 6 of the Office Action, the Examiner has also objected Claim 14 due to its informality. The Applicants now amended Claim 14 accordingly by removing the extra period and making Claim 14 into a single sentence.

In paragraphs 4 and 5, the Examiner has rejected Claims 1 to 15 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 4-15 of U.S. Patent No. 6,742,308 and provisionally over claims 2-5 and 6-11 of copending Application No. 10/715,295. The Applicants submit herewith two terminal disclaimers with respect to the cited application and patent, along with a Statement under 37 CFR 3.73(b). As a result, the Applicants respectfully request reconsideration and withdrawal of these rejections.

Appl. No. 09/942,294
Amdt. dated April 13, 2006
Reply to Office Action of February 6, 2006

SUMMARY

It is believed that the foregoing amendment and argument, and the enclosed terminal disclaimers deal with all outstanding grounds of objections and rejections, and that all of the claims remaining in this application are now in order for allowance.

Should the Examiner believe that prosecution of this application might be expedited by further discussion of the issues. The Examiner is cordially invited to telephone the undersigned representative for the applicant at (619) 696-6700 or at lyu@gordonrees.com.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-1990 and please credit any excess fees to such deposit account.

Respectfully submitted,

Dated: April 13, 2006

By: 

Lin Yu, Ph.D.

Registration No. 57,083

**Please recognize our Customer Number 27111
as our correspondence address.**

GORDON & REES, LLP
101 West Broadway, Suite 1600
San Diego, California 92101-8217
Phone: (619) 696-6700
Facsimile: (619) 696-7121
Attorney Docket No. BVJON-1021598